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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/754,144	01/05/2001	Hiroshi Ueda	2000_1771A	3462

7590

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EXAMINER
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ORTIZ CRIADO, JORGE L

ART UNIT	PAPER NUMBER
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2655

15

DATE MAILED: 04/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/754,144

Applicant(s)

UEDA ET AL.

Examiner

Jorge L Ortiz-Criado

Art Unit

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6-13 is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claim 5 is rejected under 35 U.S.C. 102(e) as being anticipated by Yamada et al U.S. Patent. No. 6,141,483.

Yamada et al. discloses an information recording disc having a lead-in area for recording control information for a reproducing apparatus by unevenness (See col. 7, lines 31-57; Fig. 3 ref# 22)

and a data recording area for recording user data (See col. 7, lines 31-57; ref#23), wherein the lead-in area has recorded therein a unique identifier indicative of a disc for initializing regional control information for restricting a region enabling reproduction of the user data (See col. 7, lines 31-57; ref#22,27).

***Claim Rejections - 35 USC § 103***

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

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4. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada et al. U.S. Patent No. 6,141,483 in view of Shim U.S. Patent No. 6,608,804.

Regarding claim 1, Yamada et al. discloses an information recording disc having an area for recording control information for a reproducing apparatus (See col. 7, lines 31-57) and a data recording area for recording user data (See col. 7, lines 31-57), wherein the area includes at least one control information area (See col. 7, lines 31-57 Ref#, 22,27)

an application identifier area for identifying applications of control data (See col. 7, lines 31-57 Ref#, 22,26,27)

an application specific data area for recording the control data (See col. 7, lines 31-57 Ref#, 22,27)

But Yamada further discloses an area for data description portion but does not expressly disclose a data length area for indicating data length of the control data and fails to disclose a burst cutting area for recording the control information, by removing a reflective layer of the disc in a striped shape.

However this feature is well known in the art as evidenced by Shim, which discloses a burst cutting area, by removing a reflective layer of the disc in a striped shape for recording control information for a reproducing apparatus situated in the innermost area of the lead-in area on the disk which include an information data area in which information about the control data is recorded such as a data length area for indicating data length of the control data and an application identifier area for identify applications of control data and (See col. 1, line 47 to col. 4, line 19; col. 5, line 64 to col. 6 line 15),

Therefore it would have been obvious to one with ordinary skill in the art at the time of the invention to include a burst cutting area, by removing a reflective layer of the disc in a striped shape for recording control information for a reproducing apparatus including an information data area in which information about the control data is recorded such as a data length area for indicating data length of the control data, in order to effectively, rapidly and accurately discriminating the disk by extracting the information identifier for identifying applications of control data as suggested by Shim.

Regarding claim 2, The combination of Yamada et al. with Shim would show wherein the application identifier area of the BCA control information area has recorded therein a unique identifier indicative of a disc for initializing regional control information for restricting a region enabling reproduction of the user data (See Yamada et al. col. 7, lines 31-57); (See Shim col. 1, line 47 to col. 4, line 19; col. 5, line 64 to col. 6 line 15).

Regarding claim 3, The combination of Yamada et al. with Shim would show wherein the application specific data area of the BCA control information area has recorded therein a disc identifier code for uniquely identifying the information recording disc (See Shim col. 1, line 47 to col. 4, line 19; col. 5, line 64 to col. 6 line 15)

Regarding claim 4, The combination of Yamada et al. with Shim would show wherein the application specific data area of the BCA control information area has recorded therein a

identifier code capable uniquely identifying the information recording disc (See Yamada et al. col. 7, lines 31-57); (See Shim col. 1, line 47 to col. 4, line 19; col. 5, line 64 to col. 6 line 15)

***Allowable Subject Matter***

5. Claims 6-13 are allowed.
6. Applicant's claimed invention is deemed allowable over the prior art of record as the prior art fails to teach or suggest either alone or in combination an initialization medium decision means for deciding whether or not the loaded information recording medium is a drive manufacturer initialization medium; a regional information updating means which updates, upon receipt of a command of update of the installation region information from the drive user, the installation region information storage means and the regional information setting counter; and a manufacturer initialization means which, upon receipt of a command of drive manufacturer initialization from the drive manufacturer, initializes the regional information setting counter and updates the manufacturer initialization counter only in case the initialization medium decision means decides that the loaded information recording medium is the drive manufacturer initialization medium and a count of the manufacturer initialization counter is not an initialization limit value.

***Response to Arguments***

7. Applicant's arguments with respect to claims 1-5 filed 07/02/2003 have been fully considered but they are not persuasive.

Applicant's response to the rejection of claim 1, as unpatentable over Yamada et al. in combination with Shim.

Applicants argued that Yamada et al. does not disclose or suggest a control information area including an application identifier and an application specific data area for recording the control data.

The Examiner cannot concur because Yamada et al. discloses a control information area including an application identifier area and an application specific data area for recording the control data, Yamada et al. discloses an application identifier area for record information to identify the recording medium as a disk of installation region control wherein information about installation region is recorded and an a specific data area for recording the control data, which is the region code (See col. 7, lines 31-57; col. 8, lines 1-22; col. 10, lines 1-15; Figs. 3,4,8,10,13,25)

Applicants argued that Yamada et al. in combination with Shim fails does not disclose or suggest a data length area on the BCA,

The Examiner cannot concur because Shim discloses a data length area, Shim discloses the start position and end position of each part in the BCA using a BCA preamble and BCA post-amble and each part included in the BCA include the synch position where start and end, therefore the length data area is represented by the start and a end position (See col. 4, line 53 to col. 5, line 8; Fig. 3)

Applicant's response to the rejection of claim 5, as unpatentable over Yamada et al.

Applicants argued that Yamada et al. fails to disclose or suggest a "unique identifier indicative of a disk for initializing regional control information".

The Examiner cannot concur because Yamada et al. discloses a unique identifier indicative of a disk for initializing regional control information, Yamada et al. discloses a region code which is unique for each region (i.e. 6-bit code for correspond to the region set at the time of initialization of the disk), which is indicative of a disk for initializing regional control information, and information about time, dates of the regional control information and further permissions (See col. 7, lines 31-57; col. 8, lines 1-22; col. 10, lines 1-15; Figs. 3,4,8,10,13,25; "the lead-in area includes an area indicative of a disk for initializing regional control information and for recording an unique code which is indicative of a disk for initialization")

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,



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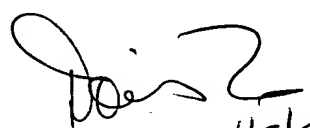
however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jorge L Ortiz-Criado whose telephone number is (703) 305-8323. The examiner can normally be reached on Mon.-Thu.(8:30 am - 6:00 pm), Alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris H To can be reached on (703) 305-4827. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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4/5/04  
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SUPERVISORY PATENT EXAMINER  
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